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MEMO ENDORSED , at last page

December 22, 2022

Via ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Zurich American Insurance Company v. Scottsdale Insurance Company*
Civil Action No.: 1:22-cv-00364-ER

Dear Judge Ramos:

This firm represents the Plaintiff Zurich American Insurance Company (“Zurich”), in the above-referenced matter (the “DJ Action”). Pursuant to Rule 1.E of Your Honor’s Individual Rules and Procedures, we write the Court to respectfully request an extension to the current discovery deadlines in the DJ Action and adjourn the upcoming conference. The current deadline is set for December 30, 2022, with a conference scheduled for January 3, 2023. Defendant Scottsdale Insurance Company (“Scottsdale”) (together with Zurich, the “Parties”) consents to and joins in this request.

The Parties have been actively engaged in discovery. Pursuant to the prior order, Zurich served its supplemental interrogatories and document demands along with a Notice to Admit to Scottsdale. Zurich also continues to prepare its document production and responses to Scottsdale’s discovery demands and interrogatories. Scottsdale served Zurich with a response to its Notice to Admit and also continues to prepare its responses to Zurich’s supplemental demands and interrogatories.

The Parties agree that additional time for discovery is necessary for the service of Zurich’s responses to Scottsdale’s demands and interrogatories and Scottsdale’s responses to Zurich’s supplemental demands and interrogatories. Scottsdale also seeks some time to serve any necessary additional demands and interrogatories based on Zurich’s document production and responses.

The Parties therefore respectfully request that the Scheduling Order be amended as follows:



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- All discovery (fact and expert) shall be completed no later than **February 13, 2023** (previously December 30, 2022).
- By **January 20, 2023**, Plaintiff will serve Scottsdale with responses to Scottsdale's document demands.
- By **January 20, 2023**, Scottsdale will serve Plaintiff with responses to Plaintiff's supplemental discovery demands and interrogatories.
- By **January 31, 2023**, Scottsdale will serve Plaintiff with any additional discovery demands.
- By **February 13, 2023**, Plaintiff will serve responses to Scottsdale's additional discovery demands.
- On **February 28, 2023**, at a time convenient for the Court, a conference will be held (previously January 3, 2022).

The Parties requested an extension of discovery once previously. We greatly appreciate Your Honor's time and consideration of this matter.

Respectfully submitted,

Coughlin Midlige & Garland LLP

/s/ Lisa M. Bonanni

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Adam M. Smith

cc: **Via ECF**
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The parties' requests for an adjournment of the upcoming conference and an extension for the current discovery deadlines are granted. The telephone conference is adjourned until February 28, 2023 at 9:30 AM. SO ORDERED.

Edgardo Ramos, U.S.D.J.

Dated: December 22, 2022

New York, New York